HON'BLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION NO. 3547 OF 2007

DATE: 27.2.2007

Between:

Konduru Venata Purushothama Rao, S/o Suryanarayana, aged 53 years.

…Petitioner

AND

1. The District Collector, West Godavari District at Eluru and two others.

….Respondents

HON'BLE SRI JUSTICE V. ESWARAIAH

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ORAL ORDER:

The case of the petitioner is that the petitioner is the absolute owner and possessor of the mango garden land of Ac. 8.13 cents covered by S.No. 59 and also Ac. 5 of agricultural land in S.No. 453 of Kamavarapukota Revenue Village and Mandal, West Godavari District.

It is stated that the said land was an ancestral property of the petitioner and the title deeds and pattedar passbooks were also issued in favour of the petitioner. It is stated that the mango garden was raised twenty years back and as per the guidelines of the Government issued from time to time, the land covered under mango gardens shall not be acquired for the purpose of house sites. It is further stated that the respondents in violation of the above said instructions issued from time to time, threatening to dispossess the petitioner for the purpose of acquiring the said land for providing house sites.

On the other hand the learned Government Pleader appearing for the respondents submits that the land acquisition proposals in respect of the said lands have not yet been initiated as on date. If it requires in second phase of Indiramma Programe, the suitable lands will be identified and land acquisition proceedings will be initiated according to law.

In view of the above said instructions, there is no proposal to acquire the land at present and having regard to the facts and circumstances of the case, the Writ Petition is disposed of directing the respondents not to dispossess the petitioner except by due process of law. No order as to costs.

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V. ESWARAIAH, J

Date: 27.02.2007
KA

Note: Furnish copy in two days.